

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of

Docket No: Q62966

Kazunori UKIGAWA, et al.

Appln. No.: 09/775,591

Group Art Unit: 3693

Confirmation No.: 9264

Examiner: Jason M. BORLINGHAUS

Filed: February 5, 2001

For: ACCOUNT SETTLEMENT METHOD IN ONLINE SHOPPING

**APPEAL BRIEF UNDER 37 C.F.R. § 41.37**

**MAIL STOP APPEAL BRIEF - PATENTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. § 41.37, Appellants submits the  
following:

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**I. REAL PARTY IN INTEREST**

Based on the information supplied by the Appellants, and to the best of Appellants' legal representatives' knowledge, the real party in interest is the assignee, JUSTSYSTEM CORPORATION.

**II. RELATED APPEALS AND INTERFERENCES**

Appellants, as well as Appellants' assigns and legal representatives, are unaware of any appeals or interferences which will be directly affected by, or which directly affect or have a bearing on, the Board's decision in the pending case.

**III. STATUS OF CLAIMS**

Claims 1-24 are all the claims pending in the present application. Claims 3, 4, 14, 15, 17, 21, and 24 are withdrawn from consideration. Claims 1, 2, 5-13, 16, 18-20, and 22-23 have been finally rejected, and are the subject of this appeal. The pending claims are set forth in the Appendix.

**IV. STATUS OF AMENDMENTS**

Appellants filed an Amendment on August 24, 2006, subsequent to the Final Office Action dated May 24, 2006. In the Advisory Action dated October 12, 2006, the Examiner indicated that the August 24<sup>th</sup> Amendment was entered.

**V. SUMMARY OF THE CLAIMED SUBJECT MATTER**

An exemplary embodiment of the present invention relates to an online shopping system. *See, e.g., claim 1.* The online shopping system includes a user device (*see, e.g., Fig. 1A, user terminal 1*), which is connected onto the Internet and reads a merchant site (*see, e.g., Fig. 1A, merchant site 3*) on the Internet; an agent device (*see, e.g., Fig. 1A, agent server 2*), which is connected to the user device and the merchant site, and is operative to relay a purchase instruction from the user device to the merchant site; and a settlement device (*see, e.g., Fig. 1A, server 4*), which is connected to the agent device, and settles an account for a product purchased in accordance with the purchase instruction sent from the user device. The user device can include purchase-instruction inputting means (*see, e.g., Fig. 2, input device 13*) for inputting an instruction for purchasing a product on sale in the merchant site, and a first purchase-instruction sending means (*see, e.g., Fig. 2, communication device 15*) for sending user **ID (identification) information**, as a first purchase instruction, together with information regarding product input by said purchase-instruction inputting means to said agent device (*see, e.g., Fig. 2 and corresponding portion of specification at page 23, line 18 - page 25, line 13; Fig. 6 and corresponding portion of specification at page 29*).

The online shopping system, according to an exemplary embodiment of the present invention, can include in the agent device several components, including: user-information storage means (*e.g., Fig. 4, memory 22*) for storing the user **ID information**, user information regarding the user, and information regarding settlement means held by the user, in association

with each other; purchase-instruction receiving means (*e.g.*, *Fig. 4, communication device 23*) for receiving the first purchase instruction sent from the first purchase instruction sending means; user-information extraction means (*e.g.*, *Fig. 4, CPU 21*) for searching said user-information storage means for user information based on the user **ID information**, which is included in the first purchase-instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, when said purchase-instruction receiving means receives the first purchase instruction; second purchase-instruction sending means (*e.g.*, *Fig. 4, communication device 23*) for sending, as a second purchase instruction, information regarding the product and being included in the first purchase instruction received by said purchase-instruction receiving means, and information regarding the user and being extracted by said user-information extraction means, to the merchant site; and settlement requesting means (*e.g.*, *Fig. 4, CPU 21*) for requesting said settlement device for settling an account for the purchased product, based on the information regarding the product and being included in the first purchase instruction received by said purchase-instruction receiving means and the information regarding the settlement means of the user and being extracted by said user-information extraction means (*see, e.g., Figs. 4 and 7, and corresponding portions of specification at page 25, line 14 - page 26, line 7 and page 30, line 13 - page 32, line 19*)

Another exemplary embodiment of the present invention relates to an online shopping method for a user of a user device to purchase a product on sale in a merchant site, in an online shopping system (*see, e.g., Fig. 1A*). The online shopping method includes: reading, at the user device which is connected to the Internet, a merchant site on the Internet (*see, e.g., Fig. 8A, arrow leaving user terminal 1 pointing to agent server 2*); replaying and sending, at an agent

device connected to the user device and the merchant site, a purchase instruction sent from the user device to the merchant site (*see, e.g., Fig. 8A, arrow leaving agent server 2 pointing to merchant site 3*); settling, at a settlement device connected to the agent device, an account for a product purchased in accordance with the purchase instruction from the user device (*see, e.g., server of company "A" 4a*); pre-registering user **ID information**, information regarding the user, and information regarding settlement means held by the user, in association with each other in a database of the agent device (*see, e.g., page 27, lines 8-19*); inputting an instruction for purchasing a product on sale in the shopping site which is read by the user device (*see, e.g., paragraph bridging pages 28 and 29*); sending, as a first purchase instruction, the user **ID information** together with information regarding the input product from the user device to the agent device; searching the database for user information based on the user **ID information**, which is included in the first purchase instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, as performed by the agent device which has received the first purchase instruction (*see, e.g., page 30, line 13 - page 34, line 7*); sending, as a second purchase instruction, information regarding the user and being extracted from the database from the agent device to the merchant site, together with information regarding the input product (*see, e.g., Fig. 7, S24-S27*); and requesting, from the agent device, the settlement device for settling the account for the input product, based on information regarding the settlement means of the user and being extracted from the database (*see, e.g., Fig. 7, S29*). *See, e.g., claim 6.*

The above-summarized exemplary embodiments of the present invention reflect the features of independent claims 1 and 6, which are rejected over the combination of Koreeda and



O'Leary. The claimed subject matter of independent claims 13, 16, 20, and 23, which are also rejected over the combination of Koreeda and O'Leary, is substantially reflected in the summary of the claimed subject matter set forth above.

Yet another exemplary embodiment of the present invention relates to a user device which is connected to Internet, browses a merchant site on the Internet, and sends an instruction for purchasing a product on sale in the merchant site (*see, e.g., claim 7*). The user device can include purchase-instruction inputting means (*see, e.g., Fig. 2, input device 13*) for inputting a purchase instruction of a product on sale in the browsed merchant site; product-information extraction means (*see, e.g., Fig. 2, CPU 11*) for extracting information regarding a product to be purchased from contents of the browsed merchant site and information regarding specified settlement means; and purchase-instruction sending means (*see, e.g., Fig. 2, communication device 15*) for sending, as a purchase instruction, the information regarding the product and being extracted by said product-information extraction means and the information regarding the settlement means, together with user **ID information**, to an agent device which is prepared separately from the merchant site and intermediates in a purchase process between the merchant site and said user device.

The above-summarized exemplary embodiment of the present invention reflects the features of independent claim 7, which is rejected over the combination of Koreeda, Dogac, and Davis. The claimed subject matter of independent claims 10, 11, 18, and 22, which are also rejected over the combination of Koreeda, Dogac, and Davis, is substantially reflected in the summary of the claimed subject matter set forth in the paragraph above.

**VI. GROUND S OF REJECTION TO BE REVIEWED ON APPEAL**

1. Claims 1, 2, 5, 6, 12, 13, 16, 20, and 23 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koreeda (US Patent No. 5,890,137) in view of O'Leary (US Patent No. 6,609,113).

2. Claims 7, 9-11, 18, and 22 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koreeda in view of Dogac (Dogac, Asusman, Ozsu, M. Tamer & Ulusoy, Ozjur. Current Trends in Data Management Technology. Idea Group Publishing,, Hershey, PA. 1999. pp. 41-42) and Davis (Davis, Steven. Pragmatics: A Reader. Oxford University Press. New York, New York. 1991. pp. 217-219).

3. Claims 8 and 19 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koreeda, Dogac, and Davis, and in further view of Lomax (Lomax, Paul. *Learning VBScript*. O'Reilly & Associates, Inc. Sebastopol, California. 1997. pp. 457-459).

**VII. ARGUMENT**

**A. *Koreeda in combination with O'Leary does not render claims 1, 2, 5, 6, 12, 13, 16, 20, and 23 unpatentable under 35 U.S.C. § 103(a).***

Appellants submit that independent claim 1 is patentable for at least two reasons. First, Appellants submit that the structural differences between the systems disclosed in the two applied references, Koreeda and O'Leary, would have prevented their combination. Second, the systems disclosed in Koreeda and O'Leary, even if combined, would not have resulted in the claimed invention. Third, the absence of ID information in the manner claimed precludes a *prima facie* case of obviousness. In short, the prior art does not teach each and every one of the following claimed elements of the agent device, including:

- user-information storage means for storing the user ID information, user information regarding the user, and information regarding settlement means held by the user, all in association with each other,
- user-information extraction means for searching said user-information storage means for user information based on the user ID information that is included in the first purchase-instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, when said purchase instruction receiving means receives the first purchase instruction,
- second purchase-instruction sending means for sending, as a second purchase instruction, information regarding the product and being included in the first purchase instruction received by said purchase-instruction receiving means, and

information regarding the user and being extracted by said user-information extraction means, to the merchant site, and

- settlement requesting means for requesting said settlement device for settling an account for the purchased product, based on the information regarding the product and being included in the first purchase instruction received by said purchase-instruction receiving means and the information regarding the settlement means of the user and being extracted by said user-information extraction means.

**A1. Structural Differences Between Koreeda and O'Leary Prevent Their Combination.**

As a preliminary matter, Appellants set forth below a brief description of the applied references, and a summary of the Examiner's rejection.

**Brief Description of the References**

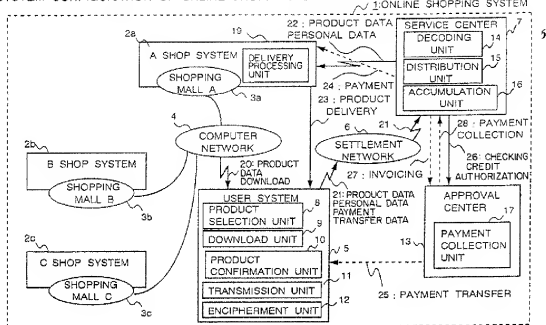
**Koreeda**

Koreeda is directed to an on-line shopping system, wherein users can shop using the Internet (see Abstract). In Koreeda, users employ a user system 5 to connect to shopping malls 3a, 3b, and 3c (Fig. 1) via the Internet or some other computer network 4, as illustrated in Fig. 1, reproduced below. The user system 5 can connect to one or more shopping malls via the computer network 4, and submit an order for a product from one of the shopping malls (see col. 5, lines 43-48). However, the settlement of payment for the product to be purchased requires the use of a separate settlement network 6 (see col. 5, lines 48-50). The settlement network 6 connects a user system 5 with a service center 7. The service center 7 receives the combination 21 of order data for the product, personal data, and payment settlement data from a user system

5 (see col. 5, lines 50-55). The service center 7 sends the payment settlement data concerning the payment to an approval center 13, for example, a credit card company (see col. 5, lines 53-55). When an approval has been given by the approval center 13, the service center 7 sends the product data and personal data 22 for the product delivery to the pertinent store, or shop system 2a, 2b, or 2c (corresponding to shopping malls 3a, 3b, and 3c). At each shop system 2a through 2c, delivery 23 of the ordered product to the user is performed in accordance with the product data and personal data 22 received from the service center 7 (see col. 6, lines 3-19). Notably, in Koreeda, two separate systems (4 and 6) are required. Also, there is no user ID information, as a data separate from personal data, sent from the user system 5 to the service center 7. Further, there is no centralized storage of user data, settlement data and ID information at the service center 7 for plural users. All such data is stored remotely and individually at each user system 5.

Appeal,  
U. S. At

SYSTEM CONFIGURATION OF ONLINE SHOPPING SYSTEM



### O'Leary

The system disclosed by O'Leary, however, operates differently to that of Koreeda and has a different focus. O'Leary is directed to a paradigm for effectuating electronic payments, which provides a safe and secure method that allows users (consumers) to shop on the Internet, pay bills, and pay anyone virtually anywhere, all without the consumer having to share account number information with the payee (see col. 4, lines 38-53). According to the method of O'Leary, the buyer can avoid providing its confidential financial information to strangers over the Internet. Rather, the buyer is dealing directly with its own trusted institution. Furthermore, no preexisting relationship has to exist between a customer and a merchant. In O'Leary, when a user at a workstation 200 (Fig. 2, reproduced below)) launches a browser 210 and seeks to make a purchase using on-line shopping, a PPP enhanced wallet 215 can be used. The PPP enhanced wallet can be used to effectuate a purchase, initiate the payment through a payment authorization to the consumer's bank 220, verify the accuracy of the merchant's payee



In the Office Action dated May 24, 2006, the Examiner alleges that the service center 7 of Koreeda satisfies some of the claimed elements of the claimed agent device, however, consistent with the foregoing summary, the Examiner admits that Koreeda does not disclose the following elements of an agent device:

- user-information storage means for storing the user ID information, user information regarding the user, and information regarding settlement means held by the user, in association with each other;
- user information extraction means for searching said user-information storage means for user information based on the user ID information which is included in the first purchase-instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, when said purchase-instruction receiving means receives the first purchase instruction;
- second purchase-instruction sending means for sending, as a second purchase instruction, information regarding the product and being included in the first purchase-instruction received by said instruction receiving means, and information regarding the user and being extracted by said user-information extraction means, to the merchant site; and
- settlement requesting means for requesting said settlement device for settling an account for the purchased product, based on the information regarding the product and being included in the instruction received by said purchase-instruction receiving



means and the information regarding the settlement means of the user and being extracted by said user-information extraction means.

The Examiner, however, believes that O'Leary makes up for the deficiencies of Koreeda, and alleges that the wallet 215 of O'Leary satisfies the claimed agent device as well as the above-bulleted elements of the agent device.

Appellants respectfully submit that the two references are not combinable because of incompatibilities and fundamental differences in architecture and, even if combined, fail to teach all of the limitations of the present invention.

**The Two References Are Incompatible**

Appellants submit that one of ordinary skill in the art would have been prevented from deriving the claimed invention from O'Leary and Koreeda because the two references teach fundamentally different architectures and are incompatible.

It appears that the Examiner believes that the wallet 215 of O'Leary can be implemented in the service center 7 of Koreeda, which allegedly corresponds to the claimed agent device, to satisfy all of the claimed elements of the agent device. However, the system of O'Leary, and in particular, the wallet 215 thereof, is implemented in such a different way with respect to the system disclosed in Koreeda that the two references could not have been combined by one skilled in the art.

The wallet 215 of O'Leary, as detailed above, provides the sole and exclusive path for communication between a user workstation 200 and a merchant 255. As is clear from the two embodiments in Figs. 2 and 3, all communication lines between the user and merchant pass through a wallet 215 (2C-2G; 3C-3G), for web shopping, purchasing and paying for a

transaction. This function permits a single focal point for all consumer activity. In addition, the wallet has a conventional form filling function for allowing a transaction to be completed directly between a workstation and a merchant site (i.e., via a single line of communication). However, an important feature of O'Leary is that the wallet is the sole communications intermediary between a user workstation 200 and a merchant site 255 for all purposes, including shopping, purchasing and payment. (see description of O'Leary above).

In contrast, Koreeda teaches that there are two separate lines of connection from the user system 5: one being the link via network 4 between a user system 5 and a merchant site 2 and the other being the link via network 6 between a user system 5 and a settlement means 13. In Koreeda, a user system 5 first accesses a merchant site at an on-line shopping mall via one network 4 for reviewing and purchasing products offered for sale by the merchant. Then, the user system 5 must connect to a service center 7 for consummating the purchase of a product via a separate settlement network 6, by sending product data, personal data and settlement data (see description of Koreeda above). That group of data, especially the product data, must originate at the user system 5 and is not automatically provided via the service center 7. The service center 7 of Koreeda transmits the product data, personal data, and the order data approved by an approval center (for settlement), to the merchant sites 2 after approval.

Because O'Leary uses a single path through a wallet 215 and can get the product information in its role as intermediary, and because Koreeda must use parallel and independent paths, only one of which is through a service center 7, the two systems would not be viewed as compatible. Moreover, one of ordinary skill would not consider placing the wallet at the service

center location, because there exists a separate network 4 for communication between the user and the merchant.

Because of this fundamental difference in function of the wallet 215 in O'Leary and the service center 7 in Koreeda, the communication that occurs between a the alleged elements that correspond to the claimed user device, agent device, and settlement device in Koreeda and O'Leary is so different that one of ordinary skill in the art would not have been enabled to practice the claimed invention by combining Koreeda with O'Leary since these two references clearly operate in completely different manners, as detailed above.

**A2. Even if Combined Koreeda and O'Leary Do Not Suggest the Use of ID Information as a Purchase Instruction**

Claim 1 recites that the user device includes a first purchase-instruction sending means for sending ID (identification) information of a user, as a first purchase instruction, together with information regarding the product input by the purchase-instruction inputting means. Koreeda sends no user ID information as a purchase instruction. Purchases are made separately via network 4 and only settlement is accomplished through network 6 via service center 7. Moreover, not even the settlement operation employs user ID information. Instead, Koreeda sends personal data directly as part of the data package 21. Thus, there is no need for user ID information.

As earlier noted, O'Leary uses the wallet 215 as the sole portal to merchant sites. O'Leary teaches that a user can access a wallet 215 by downloading , or by selecting a button on a browser 210, and can access other open browser windows (col. 9, lines 32-61). As explained at col. 15, lines 19-65, the user initiates the process by logging onto the Internet, launching the

browser and selecting the wallet 215, which may have a list of favorite links. O'Leary does teach that a certification process 205 is used to identify the user to the wallet, including the use of a user ID and password. However, this is a separate certification and is not a "purchase instruction" as claimed, as it is not accompanied by information regarding a product, as claimed.

**A3. Even if Combined, Koreeda and O'Leary do not disclose or suggest an "agent device" that responds to user "ID information"**

In the Office Action dated November 30, 2006, the Examiner cited Koreeda for a teaching of an on-line shopping system comprising "at least one new device (workstation)", "an agent device (service center)" and "settlement device (approval center)". However, the Examiner expressly acknowledged that Koreeda fails to disclose (1) a user information storage means, (2) a user-information extraction means, and (3) a second-purchase instruction sending means, as specifically claimed. In addition to these three express limitations, Appellants also submitted that the agent device does not teach a "purchase instruction receiving means" for receiving a purchase instruction sent from the first purchase instruction sending means to the user device. A primary basis for these assertions is focused on the claimed user ID information.

Clearly, in Koreeda, there is no use of user ID information in the service center 7, as already noted. None is sent by the user system 5 and none is received by the service center 7. The data 21 that is transmitted by user system 5 does not include user ID information. As acknowledged by the Examiner, there is no storage of user ID information in connection with user information and settlement means information.

In O'Leary, any ID information sent by the workstation 200 to the wallet 215 is simply used to provide a certification. There is no teaching or suggestion that the user ID information is

stored in connection with user information and settlement means information. Such storage is not even inherent, as the clear disclosure in O'Leary is that the users information is accessed to populate forms when the merchant site recognizes the user as a PPP enhanced wallet, as disclosed at col. 15, lines 54-60. Alternatively, a user may command such population with a button, but there is no extraction on the basis of ID information, as claimed.

Thus, contrary to the Examiner's belief, O'Leary does not satisfy the deficiencies in Koreeda and O'Leary's "wallet 215" is not an agent device with all the claimed features.

Appellants respectfully submit that all of the features in O'Leary are directed to a system and method for effectuating Electronic funds Transfer credit messages. These features include a Payment Portal Processor (PPP), an Internet Pay Anyone (IPA) Account, a Virtual Private Lockbox (VPL) and an associated Account Reporter, the existing EFT networks, and a cash card for accessing a VPL or IP secure portal for accessing (linking to) either the user's Demand Deposit Account (DDA) or an IPA account. Consumers can use a PPP enhanced Wallet to fund their account, shop on the web, pay bills, pay anyone, store electronic receipts and transaction history, and check their recent PPP enhanced Wallet activity. *See Abstract of O'Leary.* However, none of this functionality is dependent on the transmission from a user system of a user ID information with product information and the subsequent extraction of user information and settlement information that is stored in association with the user ID information at the wallet 215.

**A4. The Appellant's attack on the failure of the combination of reference to teach the claimed invention is not an attack on the references individually but on their combination**

In the second Office Action, the Examiner alleged that Appellants were attacking the combined references individually. In response to this argument, Appellants previously argued and presently maintain that the individual references were not being individually attacked in the Amendment dated February 28, 2006; in the February 28<sup>th</sup> Amendment, Appellants simply responded to specific allegations of the Examiner about what the individual references disclose. In responding directly to the Examiner's assertions, Appellants addressed the specific references that were cited as allegedly satisfying specific limitations. Appellants argued and presently maintain that neither of the applied references, either alone or in combination, satisfy the specific features discussed above.

**A5. Applied References Do NOT Teach the Limitations of Claims 2, 5, 6, 12, 13, 16, 20 and 23**

With respect to independent claim 6, Appellants submit that this claim is patentable at least based on reasons similar to those set forth above with respect to claim 1. For example, the Examiner has not demonstrated that the applied references, either alone or in combination, satisfy the operation of preregistering ID information of a user, information regarding the user, and information regarding settlement means held by the user in association with each other in a database of the agent device. At least since the Examiner has not demonstrated that the wallet 215 of O'Leary is an agent device having all of the features of the claimed device, specifically, the expressly defined relation to the user ID information, Appellants maintain that claim 6 is patentably distinguishable over the applied references, either alone or in combination.

Appellants submit that independent claim 16 is patentable at least based on reasons similar to those set forth above with respect to claims 1 and 6 (claimed computer device in claim 16 corresponds to the agent device recited in claims 1 and 6).

Appellants submit that independent claims 12, 13, 20 and 23 are patentable at least based on reasons similar to those set forth above with respect to claim 1. Appellants submit that dependent claims 2 and 5 are patentable at least by virtue of their dependencies from claim 1.

**B. Koreeda in combination with Dogac and Davis do not render claims 7, 9-11, 18 and 22 unpatentable under 35 U.S.C. § 103(a).**

With respect to claim 7, 9-11, 18 and 22, in response to the first office action dated November 30, 2006, Appellants argued that one of ordinary skill in the art would not have been led to combine Davis with Koreeda and/or Dogac, to arrive at the present invention. This position is maintained for purposes of this appeal.

**Dogac**

The cited and applied portion of Dogac is from an article on current trends in data management technology. The cited portion only discusses agent technology. Agents are programmed so they can perform specific tasks on behalf of their users. Agents are distinguished from other types of software because they are independent entities capable of completing complex assignments without intervention, rather than as tools that must be manipulated by a user. The cited portion of the article talks about mobile agents which have the ability to transfer themselves between the systems that provide an agent server of some kind on a network. This ability lets the mobile agent move to a system that contains an object with which

the object the agent wants to interact, then take the advantage of being in the same host or on the network as the object.

**Davis**

Davis relates to indirect and direct speech acts of an individual (human) in a restaurant inquiring about what form of payment a store may take. The cited passage discusses the linguistics, efficiency, and inefficiency of speech acts that would lead to an ultimate determination of what forms of payment a store may take.

During the prosecution of the present case, Appellants' argued that Davis is simply an article related to pragmatics and linguistics (specifically, Davis relates to responding to indirect speech acts), whereas Koreeda and Dogac are directed to technical inventions (e.g., Koreeda is directed to an online shopping system).

*Second Office Action*

In the second Office Action dated May 24, 2006, in response to the arguments above, the Examiner alleged:

In response to Applicants' arguments concerning the §103 rejection of claims 7, 10, 11, 18 and 22, specifically Applicants' argument that Davis, as "an article related to pragmatics and linguistics", is non-analogous art when considered in conjunction with Koreeda and Davis, related to technical inventions, Examiner respectfully disagrees. (see Applicants' argument, page 25).

It has been held that the determination that a reference is from a non-analogous art is two-fold. First, we decide if the reference is within the field of the inventor's endeavor. If it is not, we proceed to determine whether the reference is reasonably pertinent to the particular problem with which the inventor was involved. *In re Wood and Eversole*, 202 USPQ 171, 174 (CCPA 1979).

In the instant case, claimed language related to determining the merchant-specified settlement means and Davies was brought in



for the limited purpose of demonstrating that determining and/or inquiring the settlement means accepted by a specified merchant is old and well known in the art. While Davies is a textbook related to linguistics, the fact that a textbook published ten years prior to the Applicants' invention dedicated a section to contacting merchants to inquire about acceptable settlement means, such as accepted credit cards, should demonstrate that such inquiries and/or determinations are old and well known in the art.

Furthermore, as inquiring and/or determining the merchant-specified settlement means is old and well known in the art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Koreeda and Dogac to allow for a standard practice and/or procedure in conducting merchant transactions.

In response, Appellants previously argued and presently maintain that an individual inquiring about what form of payment a store may take, would not have led one of ordinary skill in the art to combine Davis with the other applied references. Further, a combination of the teachings of Davis with the other references clearly would NOT produce a device that contains means for extracting information regarding a product to be purchased from contents of a browsed merchant site and information regarding specified settlement means as Davis simply discusses a human being inquiring about what form of payment a store may take. The Examiner has made an unsupported leap in contending that one of ordinary skill in the art would have combined these two separate and different references, without any teaching or suggestion of the above in any of the applied references. Therefore, at least based on the foregoing, Appellants maintain that there is no teaching, suggestion, or motivation to combine the applied references, and Appellants submit that claims 7, 10, 11, 18, and 22 are NOT unpatentable over the applied references.

***C. Koreeda Dogac, and Davis combined with Lomax does not render claims 8 and 19 unpatentable under 35 U.S.C. § 103(a).***

Appellants submit that claims 8, 9 and 19 are patentable at least by virtue of their respective dependencies from independent claims 7 and 18. Lomax does not make up for the deficiencies of the applied references.

**Conclusion**

In summary, at least based on the foregoing, Appellants submit that the Examiner has not demonstrated that each and every feature of the claimed invention, as set forth in claims 1, 2, 5, 6, 12, 13, 16, 20, and 23, are taught and/or suggested by the applied references. Since each and every limitation is not satisfied by the prior art, Appellants submit that claims 1, 2, 5, 6, 12, 13, 16, 20, and 23 are NOT unpatentable over Koreeda in view of O'Leary.

With respect to claims the rejections of claims 7, 9-11, 18 and 22, Appellants submit that one of ordinary skill in the art would not have been led to combine Davis with Koreeda and/or Dogac at least based on the reasons set forth above. Claims 8, and 19 are patentable at least by virtue of their respective dependencies from independent claims 7 and 18.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

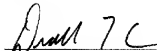
Unless a check is submitted herewith for the fee required under 37 C.F.R. §41.37(a) and 1.17(c), please charge said fee to Deposit Account No. 19-4880.

*Appeal Brief*  
*U. S. Application No. 09/775,591*

*ATTORNEY DOCKET NO. Q62966*

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: May 24, 2007

**CLAIMS APPENDIX**

CLAIMS 1-24:

**LISTING OF CLAIMS:**

1. An online shopping system comprising:

at least one user device which is connected onto Internet and for reading a merchant site on the Internet;

an agent device which is connected to said at least one user device and the merchant site, relays and sends a purchase instruction from said at least one user device to the merchant site; and

a settlement device which is connected to said agent device, and settles an account for a product purchased in accordance with the purchase instruction sent from said at least one user device,

said at least one user device including

purchase-instruction inputting means for inputting an instruction for purchasing a product on sale in the merchant site, and

a first purchase-instruction sending means for sending ID (identification)

information of a user, as a first purchase instruction, together with information regarding the product input by said purchase-instruction inputting means to said agent device, and said agent device including

user-information storage means for storing the ID information, user information regarding the user, and information regarding settlement means held by the user, in association with each other,

purchase-instruction receiving means for receiving the first purchase instruction sent from said first purchase instruction sending means,

user-information extraction means for searching said user-information storage means for user information based on the ID information of the user which is included in the first purchase-instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, when said purchaseinstruction receiving means receives the first purchase instruction,

second purchase-instruction sending means for sending, as a second purchase instruction, information regarding the product and being included in the first purchaseinstruction received by said purchase-instruction receiving means, and information regarding the user and being extracted by said user-information extraction means, to the merchant site, and

settlement requesting means for requesting said settlement device for settling an account for the purchased product, based on the information regarding the product and being included in the first purchase instruction received by said purchase-instruction receiving means and the information regarding the settlement means of the user and being extracted by said user-information extraction means.

2. The online shopping system according to claim 1, wherein:

said agent device further includes inquiry means for inquiring whether the settlement means is valid, based on the information regarding the settlement means of the user which is extracted by said user-information extraction means; and

said second purchase-instruction sending means for inserting information representing that inquiring is performed by said inquiry means into the second purchase instruction, and sending the second purchase instruction to the merchant site.

3. The online shopping system according to claim 1, wherein;

said agent device further includes obtaining means for obtaining convenient-settlement means, for use only in settling the account for the product purchased in accordance with the first purchase instruction received by said purchase instruction receiving means, and which differs from the settlement means of the user; and

said second purchase-instruction sending means inserts information regarding the obtained convenient settlement means into the second purchase instruction, and sends the second purchase instruction to the merchant site.

4. The online shopping system according to claim 3, wherein:

said settlement device includes a plurality of settlement devices respectively corresponding to various types of settlement means;

said obtaining means obtains, as said convenient settlement means, settlement means corresponding to a type of settlement means which is specified in the merchant site; and

said agent device further includes settlement storage means for storing information regarding the account for the purchased product between a settlement device corresponding to

the obtained convenient settlement means and the merchant site, and information regarding settlement of the account for the purchased product between the settlement device which is requested to settle the account by said settlement requesting means and the user, in association with each other.

5. The online shopping system according to claim 1, wherein said agent device and said settlement device are connected with each other through a private line.

6. An online shopping method for a user of a user device to purchase a product on sale in a merchant site, in an online shopping system comprising:

reading, at said user device which is connected to the Internet, a merchant site on the Internet;

replaying and sending, at an agent device connected to said user device and the merchant site, a purchase instruction sent from said user device to the merchant site;

settling, at a settlement device connected to said agent device, an account for a product purchased in accordance with the purchase instruction from said user device;

pre-registering ID information of the user, information regarding the user, and information regarding settlement means held by the user, in association with each other in a database of said agent device;

inputting an instruction for purchasing a product on sale in the shopping site which is read by said user device;

sending, as a first purchase instruction, the ID information of the user together with information regarding the input product from said user device to said agent device;

searching the database for user information based on the ID information of the user which is included in the first purchase instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, as performed by said agent device which has received the first purchase instruction;

sending, as a second purchase instruction, information regarding the user and being extracted from the database from said agent device to the merchant site, together with information regarding the input product; and

requesting, from said agent device, the settlement device for settling the account for the input product, based on information regarding the settlement means of the user and being extracted from the database.

7. A user device which is connected to Internet, browses a merchant site on the Internet, and sends an instruction for purchasing a product on sale in the merchant site, said user device comprising:

purchase-instruction inputting means for inputting a purchase instruction of a product on sale in the browsed merchant site;

product-information extraction means for extracting information regarding a product to be purchased from contents of the browsed merchant site and information regarding specified settlement means; and

purchase-instruction sending means for sending, as a purchase instruction, the information regarding the product and being extracted by said product-information extraction means and the information regarding the settlement means, together with ID information of a



user, to an agent device which is prepared separately from the merchant site and intermediates in a purchase process between the merchant site and said user device.

8. The user device according to claim 7, further comprising:

merchant-site determination means for determining whether the merchant site is browsed;

and

instruction-input permission means for permitting, when said merchant-site determination means determines that the merchant site is browsed, an input of an instruction from said purchase-instruction inputting means.

9. The user device according to claim 7, wherein said purchase-instruction inputting means is prepared separately from instruction means included in the contents of the browsed merchant site.

10. A user device including a memory for storing a program, a processor for executing the program, an input device for inputting an instruction of a user, a display device for displaying information, and a communications device for

transmitting/receiving information with a merchant site served up on Internet, wherein said processor executes the program stored in said memory, thereby:

accessing said merchant site from said communications device, and controlling said communications device to receive contents of said merchant site;

displaying the contents of the merchant site which are received by said communications device on said display device;

permitting the user to input an instruction for purchasing a product on sale in the contents of the merchant site which are displayed on said display device;

extracting information regarding the product to be purchased from the contents of the merchant site displayed on said display device and information regarding specified settlement means; and

controlling said communications device to send, as a purchase instruction, the extracted information regarding the product and the information regarding the settlement means, together with ID information of the user to an agent device, which is prepared separately from the merchant site and intermediates in a product purchase process between said user device and said merchant site.

11. A method for browsing a merchant site served up on Internet using a computer device, and for sending an instruction for purchasing a product on sale in the browsed merchant site, said method comprising:

a step of inputting an instruction for purchasing the product on sale in the browsed merchant site;

a step of extracting information regarding the product to be purchased in the browsed merchant site and information regarding specified settlement means, when the instruction is input; and

a step of sending, as a purchase instruction, the extracted information regarding the product and the information regarding the settlement means, together with ID information of a user, to an agent device which is prepared separately from the merchant site and intermediates in a purchase process between the computer device and the merchant site.

12. An agent device which is connected to a user device for browsing a merchant site served up on Internet, the merchant site, and a settlement device for settling an account for a

product purchased in accordance with a purchase instruction from the user device, said agent device comprising:

user-information storage means for storing ID information of a user using said user device, information regarding the user, and information regarding settlement means held by the user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction, from said user device, information regarding the product to be purchased by the user on sale in the merchant site and the ID information of the user;

user-information extraction means for searching said user-information storage means for use information based on the ID information included in the first purchase instruction, and extracting corresponding information regarding the user and corresponding information regarding settlement means;

inquiry means for inquiring of said settlement device whether the settlement means is valid, based on the information regarding the settlement means and being extracted by said user-information extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, to the merchant site, the information regarding the user and being extracted by said user-information extraction means and information representing that inquiring is performed by said inquiry means, together with the information regarding the product and being included in the first purchase instruction received by said purchase instruction receiving means; and

settlement requesting means for requesting said settlement device for setting a bill for a purchased product, based on the information regarding a product and being included in the

second purchase instruction received by said purchase-instruction receiving means and the information regarding the settlement means and being extracted by said user-information extraction means.

13. An agent device comprising: a memory for storing a program; a processor for executing the program; a communications device for transmitting/receiving information with a merchant site served up on Internet, a user device used by a user purchasing a product on sale online in the merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction from said user device; and a database for registering ID information of the user using the user device, information regarding the user, and information regarding settlement means held by the user, and wherein said processor executes the program stored in said memory, thereby:

controlling said communications device to receive, as a first purchase instruction from said user device, the ID information of the user together with information regarding a product to be purchased by the user on sale in the merchant site;

searching the database for user information based on the ID information included in the first purchase instruction received by said communications device, and extracting corresponding information regarding the user and corresponding information regarding settlement means;

controlling said communications device to inquire of said settlement device whether the settlement means is valid, based on the information regarding the settlement means and being extracted from the database;

controlling said communications device to send, as a second purchase instruction, the information regarding the user and being extracted from the database and information

representing that said settlement means is inquired, together with the information regarding the product and being included in the first purchase instruction received by said communications device to the merchant site; and

controlling said communications device to request said settlement device for settling an account for a purchased product included in the first purchase instruction received by said communications device, based on the information regarding the settlement means of the user and being extracted from the database.

14. An agent device which is connected to a user device for browsing a merchant site served up on Internet, the merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction from said user device, said agent device comprising:

user-information storage means for storing ID information of a user using said user device, information regarding the user and information regarding settlement means held by the user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction from said user device, the ID information of the user together with information regarding a product to be purchased by the user, of a plurality of products on sale online in the merchant site;

user-information extraction means for searching said user-information storage means for user information based on the ID information included in the first purchase instruction, and extracting corresponding information regarding the user and the corresponding information regarding the settlement means;

obtaining means for obtaining convenient settlement means, for use only in settlement of the account for the product purchased in accordance with the first purchase instruction received by said purchase instruction receiving means, and which differs from the settlement means of the user which is extracted by said user-information extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, the information regarding the user and being extracted by said user-information extraction means, together with the information regarding the product and being included in the first purchase instruction received by said purchase instruction receiving means, to the merchant site; and

settlement requesting means for requesting said settlement device for settlement of an account for the product purchased by the user, based on the information regarding the product and being included in the first purchase instruction received by said purchase-instruction receiving means, and the information regarding the settlement means of the user and being extracted by said user-information extraction means.

15. An agent device comprising: a memory for storing a program; a processor for executing the program; a communications device for transmitting/receiving information with a merchant site served up on Internet, a user device used by a user purchasing a product on sale online in the merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction sent from said user; and a database for registering ID information of the user using said user device, information regarding the user, and information regarding settlement means held by the user, and wherein said processor executes the program stored in said memory, thereby:

controlling said communications device to receive, as a first purchase instruction, the ID information of the user, together with information regarding the product to be purchased by the user on sale in the merchant site, from said user device;

searching said database for user information based on the ID information included in the first purchase instruction received by said communications device, and extracting corresponding information regarding the user and corresponding information regarding settlement means;

obtaining convenient settlement means, for use only in settlement of the account for the product purchased by the user in accordance with the first purchase instruction received by said communications device, and which differs from the settlement means of the user which is extracted by said user-information extraction means;

controlling said communications device to send, as a second purchase instruction to the merchant site, the user information extracted from said database and information regarding the convenient settlement means as settlement means for the account, together with the information regarding the product and being included in the first purchase instruction received by said communications device; and

controlling said communications device to request said settlement device for settling the account for the purchased product included in the first purchase instruction received by said communications device, based on the information regarding the settlement means of the user and being extracted from said database.

16. A method executed in a computer device, which is connected to a user device for reading a merchant site served up on Internet, the merchant site, and a settlement device for

settling an account for a product purchased in accordance with a purchase instruction from said user device, said method comprising:

a step of pre-registering ID information of a user using said user device, user information regarding the user, and information regarding settlement means held by the user;

a step of receiving, as a first purchase instruction, ID information of the user together with information regarding a product to be purchased by the user on sale in the merchant site, from said user device;

a step of searching said database based on the ID information included in the received first purchase instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means;

a step of inquiring of said settlement device whether the settlement means is valid, based on the information regarding the settlement means of the user and being extracted from said database;

a step of sending, as a second purchase instruction, the information regarding the user and being extracted from said database and information representing that said settlement means is inquired, together with the information regarding the product and being included in the received first purchase instruction, to the merchant site; and

a step of requesting said settlement device for settling an account for the purchased product included in the received purchase instruction, based on the information regarding the settlement means of the user and being extracted from the database.

17. A method executed in a computer device, which is connected to a user device for reading a merchant site served up on Internet, the merchant site, and a settlement device for



settling an account for a product purchased in accordance with a purchase instruction from said user device, said method comprising:

a step of pre-registering, in a database, ID information of a user using said user device, user information regarding the user, and information regarding settlement means held by the user, in association with each other;

a step of receiving, as a first purchase instruction, the ID information of the user from said user device, together with information regarding a product to be purchased by the user on sale in the merchant site;

a step of searching the database for the user information based on the ID information included in the received first purchase instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means;

a step of obtaining convenient settlement means, for use in settlement of the account for the product purchased in accordance with the received first purchase instruction, and which differs from the settlement means of the user and being extracted from said user-information extraction means;

a step of sending, as a second purchase instruction, information regarding the user and being extracted from the database and information regarding the convenient settlement means as settlement means for settling the account for the product, together with the information regarding the product and being included in the received first purchase instruction; and

a step of requesting said settlement device for settling the account for the product included in the received first purchase instruction, based on the information regarding the settlement means of the user and being extracted from the database.

18. A computer readable recording medium recording a program making a computer device, which is connected onto Internet and capable of browsing a merchant site served up the Internet, function as:

purchase-instruction inputting means for inputting an instruction for purchasing a product on sale in the browsed merchant site;

product-information extraction means for extracting information regarding a product to be purchased and information regarding specified settlement means from contents of the browsed merchant site, when the instruction is input from said purchase-instruction inputting means; and

purchase-instruction sending means for sending, as a purchase instruction, the information regarding the product and being extracted by said product-information extraction means and the information regarding the settlement means, together with ID information of a user, to an agent device, which is prepared separately from the merchant site and intermediates in a purchase process between the user and the merchant site.

19. The computer readable recording medium according to claim 18, wherein the program makes the computer device further function as:

merchant-site determination means for determining whether a merchant site is being browsed; and

instruction-input permission means for permitting an input of an instruction from said purchase-instruction inputting means, when said merchant-site determination means determined that the merchant site is being browsed.

20. A computer readable recording medium recording a program making a computer device, connected to a user device for browsing a merchant site served up on Internet, the

merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction from said user device, function as:

user-information storage means for storing ID information of a user using said user device, user information of the user, and information regarding settlement means held by the user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction from said user device, the ID information of the user, together with information regarding a product to be purchased by the user on sale in the merchant site;

user-information extraction means for searching said user-information storage means for the user information based on the ID information included in the first purchase instruction, and extracting corresponding information regarding the user and corresponding information regarding settlement means, when said purchase-instruction receiving means receives a first purchase instruction;

inquiry means for inquiring of said settlement device whether the settlement means is valid, based on the information regarding the settlement means of the user and being extracted by said user-information extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, the information regarding the user and being extracted by said user-information extraction means and information representing that inquiring is performed by said inquiry means, together with the information regarding the product included in the first purchase instruction received by said purchase-instruction receiving means, to the merchant site;

and

settlement requesting means for requesting said settlement device for settling an account for a product, based on the information regarding the product and being included in the second purchase instruction received by said purchase-instruction receiving means, and the information regarding the settlement means of the user and being extracted by said user- information extraction means.

21. A computer readable recording medium recording a program which makes a computer device, which is connected to a user device for browsing a merchant site served up on Internet, the merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction from said user device, function as:

user-information storage means for storing ID information of a user using said user device, user information of the user, and information regarding settlement means held by the user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction, the ID information of the user, together with information regarding a product to be purchased by a user on sale in the merchant site, from said user device;

user-information extraction means for searching said user-information storage means for user information based on the ID infoiuation of the user and being included in the first purchase instruction, and extracting corresponding information regarding the user and information regarding the settlement means, when said purchase-instruction receiving means receives the first purchase instruction;

obtaining means for obtaining convenient settlement means, for use only in settlement of an account for a product purchased in accordance with the first purchase instruction received by

said purchase-instruction receiving means, and which differs from the settlement means of the user extracted by said user-information extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, the information regarding the user extracted by said user-information extraction means, and information regarding said convenient settlement means as settlement means for settling an account for a product, together with the information regarding the product included in the first purchase instruction received by said purchase instruction receiving means; and

settlement requesting means for requesting said settlement device for settling an account for a purchased product, based on the information regarding the product and being included in the first purchase instruction received by said purchase instruction receiving means, and the information regarding the settlement means of the user and being extracted by said user-information extraction means.

22. A program data signal embodied in a carrier wave and transmitted through a communications path, said signal making a computer device, which is connected to Internet and can browse a merchant site served up on Internet, function as:

purchase-instruction inputting means for inputting an instruction for purchasing a product on sale in the browsed merchant site;

product-information extraction means for extracting information regarding a product to be purchased and information regarding specified settlement means from contents of the browsed merchant site; and

purchase-instruction sending means for sending, as a purchase instruction, the information regarding the product and being extracted by said product information extraction

means and the information regarding the settlement means, together with ID information of a corresponding user to an agent device which is prepared separately from the merchant site and intermediates in a purchase process between the user and the merchant site.

23. A program data signal embodied in a carrier wave and transmitted through a communication path, said signal making a computer device, which is connected to a user device for browsing a merchant site served up on Internet, the merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction from said user device, function as:

user-information storage means for storing ID information of a user using said user device, user information of the user, and information regarding settlement means held by the user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction, the ID information of the user together with information regarding a product to be purchased by a user on sale in the merchant site, from said user device;

user-information extraction means for searching said user-information storage means for user information based on the ID information included in the first purchase instruction, and extracting corresponding information regarding the user and information regarding the settlement means, when said purchase-instruction receiving means receives the first purchase instruction;

inquiry means for inquiring of said settlement device whether the settlement means is valid, based on information regarding settlement means of the user extracted by said user-information extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, the information regarding the user and being extracted by said user-information extraction means and information representing that inquiring is performed by said inquiry means, to the merchant site; and

settlement requesting, means for requesting said settlement device for settling an account for a purchased product, based on the information regarding the product and being included in the second purchase instruction received by said purchase-instruction receiving means and the information regarding settlement means of the user extracted by said user-information extraction means.

24. A program data signal embodied in a carrier wave and transmitted through a communications path, said signal making a computer device, which is connected to a user device for browsing a merchant site served up on Internet, the merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction from said user device, function as:

user-information storage means for storing ID information of a user using said user device, user information of the user, and information regarding settlement means held by the user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction, the ID information of the user together with information regarding a product to be purchased by the user on sale in the merchant site, from said user device;

user-information extraction means for searching said user-information storage means for the user information based on the ID information of the user included in the first purchase

instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, when said purchase instruction receiving means receives the first purchase instruction;

obtaining means for obtaining convenient settlement means, for use only in settling an account of a product purchased in accordance with the first purchase instruction received by said purchase instruction receiving means, and which differs from the settlement means of the user extracted by said user-information extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, the information regarding the user extracted by said user-information extraction means and the information regarding said convenient settlement means as settlement means for settling the account for the purchased product, together with the information regarding the product included in the first purchase instruction received by said purchase-instruction receiving means, to the merchant site; and

settlement requesting means for requesting said settlement device for settling the account for the purchased product, based on the information regarding the product included in the first purchase instruction received by said purchase-instruction receiving means and the information regarding the settlement means of the user extracted by said user information extraction means



**EVIDENCE APPENDIX:**

NONE.

**RELATED PROCEEDINGS APPENDIX**

NONE.

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of

Docket No: Q62966

Kazunori UKIGAWA, et al.

Appln. No.: 09/775,591

Group Art Unit: 3693

Confirmation No.: 9264

Examiner: Jason M. BORLINGHAUS

Filed: February 5, 2001

For: ACCOUNT SETTLEMENT METHOD IN ONLINE SHOPPING

**SUBMISSION OF APPEAL BRIEF**

**MAIL STOP APPEAL BRIEF - PATENTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

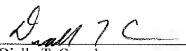
Sir:

Submitted herewith please find an Appeal Brief. Please charge the statutory fee of \$500.00 to Deposit Account No. 19-4880. A duplicate copy of this sheet is enclosed.

Please also credit any overpayments to said Deposit Account

Respectfully submitted,

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**23373**

CUSTOMER NUMBER

Date: May 24, 2007